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PATENT APPLICATION
WNS Docket No. 15455.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Waite et al.

Serial No. 09/996,146

Confirmation No.: 4100

Filed: September 27, 2001

For: SYSTEM AND METHOD FOR IDENTIFICATION
OF TRAFFIC LANE POSITIONS

Examiner: Edward J. Pipala

Art Unit
3661DECLARATION UNDER 37 C.F.R. § 1.132

Box RESPONSES

NO FEE

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

Jonathan L. Waite, declares and testifies as follows:

1. I am one of the co-inventors named in the above referenced application and has personal knowledge of the content of this declaration.
2. The undated article submitted by Applicant in the IDS of March 1, 2002 entitled Automatic Lane Detection (the "Article") was an internal memorandum created by

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Version With Markings to Show Changes Made

[01.1] The present application is related to U.S. Patent Application No. 09/964,668 "Ve[c]hicle Traffic Sensor" by inventors David V. Arnold, Logan C. Harris, Michael A. Jensen, Thomas William Karlinsey, John B. Dougall, Jr., and Ryan Smith, filed concurrently herewith and incorporated by reference.

BACKGROUND OF THE INVENTION

2. The Field of the Invention

[01.2] [[01]] The present invention relates to roadway traffic monitoring, and more particularly, to determining the presence and location of vehicles traveling upon a multilane roadway.



Thomas W. Karlinsey and me and not publicly disclosed prior to the filing date of the above application, namely, September 27, 2001.

3. The Article was also not publicly accessible prior to the filing date of the above application.
4. The Article, in fact, has still not been publicly disclosed and has only been used for internal purposes for explaining certain aspects of the invention disclosed in the above application.
5. The Article was provided to patent counsel in response to a request for all relevant material documentation. However, Applicant misunderstood the scope of the request and therefore provided the Article which was neither disclosed publicly nor publicly accessible and was inadvertently provided.
6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 10th day of December 2002.

Respectfully submitted,

Jonathan L. Waite
Jonathan L. Waite

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